

1 ZONING MAP ORDINANCE NO. Z- 04-93

2 AN ORDINANCE amending the City of  
3 Fort Wayne Zoning Map No. P-42.

4 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT  
5 WAYNE, INDIANA:

6 SECTION 1. That the area described as follows is hereby  
7 designated an RA (Suburban Residential) District under the  
8 terms of Chapter 33 of the Code of the City of Fort Wayne,  
9 Indiana of 1974:

10 A part of Richardville Reserve in Section 18, Township 31  
11 North, Range 13 East, more particularly described as  
12 follows: Commencing at the Northeast corner of Fractional  
13 Section 18, Township 31 North, Range 13 East, thence  
14 South 26 degrees West on the centerline of Leo Road  
15 (formerly State Road #427 and #1) a distance of 1669.1  
16 feet to a point being; thence South 72 degrees 25 minutes  
17 50.6 feet to a point, said point being the intersection  
18 of the easterly right of way line of said Leo Road with  
19 the South right of way line of Garden Park Drive; thence  
20 South 26 degrees West along the easterly right of way  
21 line of said Leo Road a distance of 168.0 feet to the  
22 point of beginning, said point of beginning also being  
23 the Southwest corner of the tract as described and  
24 recorded in Mortgage Record 788, page 352-354; thence  
25 South 78 degrees East along the Southerly line of said  
26 tract a distance of 185 feet to a point, thence South 72  
27 degrees 27 minutes East a distance of 120 feet to a  
28 point, thence South 12 degrees 23 minutes West a distance  
29 of 154.5 feet to a point located on a curve to the left  
30 having a radius of 40 feet, said curve also being the  
northwesterly right of way line of Beechmont Drive;  
thence in a southwesterly direction along said curve a  
distance of 25.42 feet to a point, thence North 68  
degrees 05 minutes West a distance of 329.9 feet to a  
point on the easterly right of way line of said Leo Road,  
thence North 26 degrees East along said Easterly line a  
distance of 135.2 feet to the point of beginning.  
EXCEPTING THEREFROM Part of Richardville Reserve in  
Township 31 North, Range 13 East, Allen County, Indiana,  
described as follows, to-wit: Commencing at the Southwest  
corner of Lot #2 of Concordia Woods Addition as recorded  
in Plat Book 23, pages 96-98 in the Office of the  
Recorder of Allen County, thence Westerly on a curve to  
the right with a radius of 100 feet, an arc distance of  
66.88 feet, thence Westerly on a curve to the left with  
a radius of 40 feet, an arc distance of 112.22 feet to  
the point of beginning, thence Southerly along the  
aforementioned 40 foot radius curve to the left a  
distance of 25.42 feet, thence N68-05W 47.00 feet, thence  
N28-02E 173.60 feet, thence S72-25E 16.50 feet, thence  
S12-23W 154.50 feet to the point of beginning.

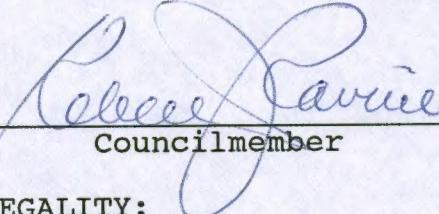
31 Net area of said parcel is 1.04 acres, more or less,

32 TOGETHER WITH 2.12 acres of land in Richardville Reserve  
west of the St. Joseph River in Township 31 North, Range  
13 East, in Allen County, Indiana described as follows,  
to-wit: Beginning at a point in the centerline of the  
Leo Road in said Township and Range, said centerline  
being the west line of the said Richardville Reserve,  
said point being situated 1683.5 feet North 26 degrees  
East of the intersection of the said centerline of the  
Leo Road and the West line of Section 18, Township 31  
North, Range 13 East in said Allen County, Indiana;

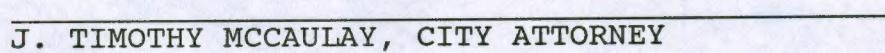
#540  
1        thence continuing North 26 degrees East along the said  
2        centerline of the Leo Road a distance of 243.0 feet;  
3        thence South 68 degrees 5 minutes East a distance of  
4        380.0 feet; thence South 26 degrees West a distance of  
5        243.0 feet; thence North 68 degrees 5 minutes West a  
6        distance of 380.0 feet to the place of beginning,  
7        containing 2.12 acres of land, more or less, subject to  
8        an easement over and across the South 25.0 feet thereof  
9        for roadway purposes. EXCEPTING THEREFROM 50.0 feet off  
10      the Northwesterly border thereof as occupied by State  
11      Road No. 427. Net area of said parcel is 1.84 acres.

12      and the symbols of the City of Fort Wayne Zoning Map No. P-42,  
13      as established by Section 11 of Chapter 33 of the Code of the  
14      City of Fort Wayne, Indiana are hereby changed accordingly.

15      SECTION 2. That this Ordinance shall be in full force  
16      and effect from and after its passage and approval by the  
17      Mayor.

18        
19      Councilmember

20      APPROVED AS TO FORM AND LEGALITY:

21        
22      J. TIMOTHY McCaulay, CITY ATTORNEY

Read the first time in full and on motion by Ravine,  
and duly adopted, read the second time by title and referred to the  
Committee on Regulations (and the City Plan Commission  
for recommendation) and Public Hearing to be held after due legal notice, at  
the Common Council Council Conference Room 128, City-County Building, Fort  
Wayne, Indiana, on 19, the 19 day of  
M., E.S.T. o'clock

DATED: 6-22-93

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Ravine,  
and duly adopted, placed on its passage. PASSED  
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
<u>TOTAL VOTES</u>	<u>6</u>		<u>3</u>	
<u>BRADBURY</u>			<u>✓</u>	
<u>EDMONDS</u>	<u>✓</u>			
<u>GiaQUINTA</u>	<u>✓</u>			
<u>HENRY</u>			<u>✓</u>	
<u>LONG</u>			<u>✓</u>	
<u>LUNSEY</u>	<u>✓</u>			
<u>RAVINE</u>	<u>✓</u>			
<u>SCHMIDT</u>	<u>✓</u>			
<u>TALARICO</u>	<u>✓</u>			

DATED: 7-27-93

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,  
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 2-04-93  
on the 27th day of July, 1993

ATTEST:

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

(SEAL)  
Mark C. GiaQuinta  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on  
the 28th day of July, 1993,  
at the hour of 11:30 o'clock A. M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

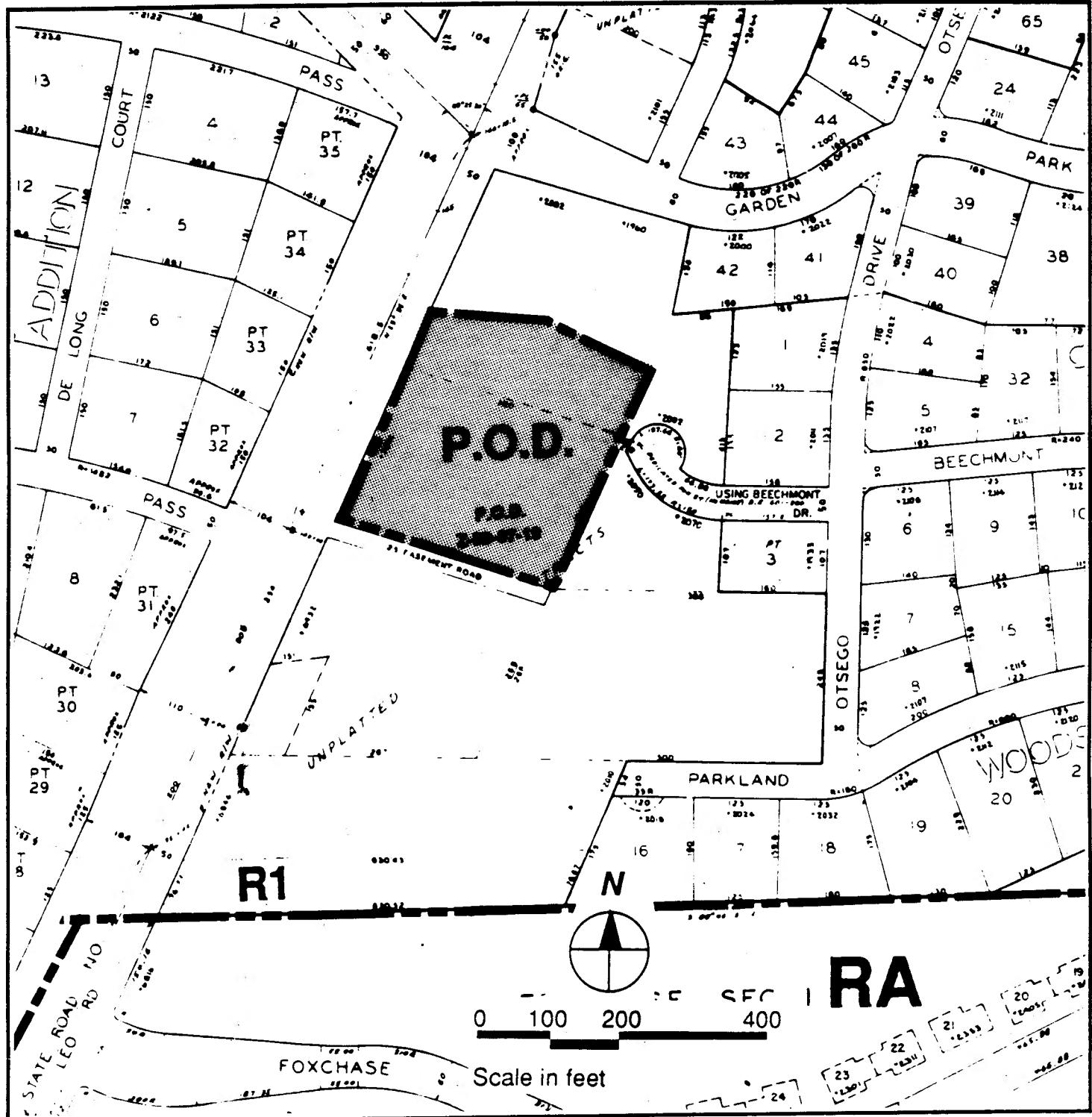
Approved and signed by me this 29th day of July,  
1993, at the hour of 9:00 o'clock A. M., E.S.T.

Paul Helmke  
PAUL HELMKE, MAYOR

# REZONING PETITION

## AREA MAP

CASE NO. #540



COUNCILMANIC DISTRICT NO. 3

Map No. P-42  
LW 5-19-93

R1	One-Family	B1	Limited Business	M1	Light Industrial
R2	Two-Family	B2	Planned Shopping Center	M2	General Industrial
R3	Multi-Family	B3	General Business	M3	Heavy Industrial
RA/RB	Residential	B4	Roadside Business	MHP	Mobile Home Park
PUD	Planned Unit Dev.	POD	Professional Office District		

ORIGINAL

ORIGINAL

DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE 7014 No Clinton Street

2-93-06-18

EFFECT OF PASSAGE Property is currently zoned P O D - Professional Office District. Property will become RA - Suburban Residential.

EFFECT OF NON-PASSAGE Property will remain zoned P O D - Professional Office District.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

(ASSIGN TO COMMITTEE)

**FACT SHEET**

Z-93-06-18

BILL NUMBER

**Division of Community  
Development & Planning**

BRIEF TITLE	APPROVAL DEADLINE	REASON
Zoning Map Amendment		
From P.O.D. to RA		

**DETAILS**

Specific Location and/or Address
7014 No Clinton St
Reason for Project
Future duplex development.
Discussion (Including relationship to other Council actions)
21 June 1993 - Public Hearing (See Attached Minutes of Meeting)
28 June 1993 - Business Meeting  Motion was made and seconded to return the ordinance to the Common Council with a DO NOT PASS recommendation.  Of the seven (7) members present, six (6) voted in favor of the motion, one (1) did not vote.  Motion carried.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	City Wide  Other Areas
Applicants/ Proponents	Applicant(s)  City Department  Other
Opponents	Groups or Individuals See minutes for complete list of remonstrators. Basis of Opposition -duplexes would create a traffic problem and add to a serious water runoff problem in area
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against  Reason Against
Board or Commission Recommendation	By  <input type="checkbox"/> For <input checked="" type="checkbox"/> Against <input type="checkbox"/> No Action Taken  <input type="checkbox"/> For with revisions to conditions (See Details column for conditions)
CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass

**DETAILS****POLICY/PROGRAM IMPACT**

<b>Policy or Program Change</b>	<input type="checkbox"/> No	<input type="checkbox"/> Yes
<b>Operational Impact Assessment</b>		

(This space for further discussion)

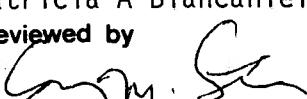
**Project Start****Date** 13 May 1993**Projected Completion or Occupancy****Date** 29 June 1993**Fact Sheet Prepared by****Date** 29 June 1993

Patricia A Biancaniello

Reviewed by

Date 6/30/93

Reference or Case Number



a. Bill No. Z-93-06-18 - Change of Zone #540  
From P.O.D. to RA  
7014 No Clinton Street

**Primary Development Plan for Oakchase Community**

Bruce Franke, representing the owners of the property in question W & G Construction Group Inc., appeared before the Commission. He stated that they are asking for a downzoning for a parcel of ground from a P.O.D. to an RA District. He stated that they feel that the downzoning is in compliance with the Comprehensive Plan for the City of Fort Wayne. He stated that the Comprehensive Plan identifies this area as a medium residential area. He stated that the proposed development yields a density of 5.5 units per acre. He stated that they propose construction of 8 duplexes. He stated that each unit will have two bedrooms, a garage, 2½ bathrooms, a fireplace and they exceed the minimum square footage requirement as now stated in the current zoning ordinance for the city of Fort Wayne. He stated that they feel that a duplex development in this area is a compatible blend between the arterial street being North Clinton Street and the existing land use of R-1 as bordered on the north and the east by Concordia Gardens Subdivision. He stated that they are hoping through their development to adhere to the proposal that a proposed development should maintain the integrity of the area to be developed, in terms of drainage, topography and vegetation. He stated that they have worked with the landscape architect for the city and through some revisions and modifications they are trying to blend the existing vegetation, which is made up of large hardwood trees existing on the site, so that the destruction of those trees will be held to a minimum with the development. He stated that the southeast corner of the property has no building on it. He stated that is where the majority of the trees lie. He stated that the topography will not be changed dramatically over what exists now, except to build the pads to place the houses on and to build the street. He stated that the current P.O.D designation has a larger impervious area than what is being proposed by the duplexes. He stated that with a reduction in the impervious area it will reduce the amount of runoff from the site. He stated that if detention is required on the site there is room in the southeast corner of the property. He stated that the proposed development will not necessitate the construction of new facilities at the expense of the city of Fort Wayne. He stated that all infrastructure is in place and adjacent, if not on the site itself. He stated that the proposed development should not overburden, directly or indirectly, the capabilities of the public facilities and services in the immediate area. He stated that the buildings will be in harmony with their surroundings because of their low intensity. He stated that the properties are going to be available for resale. He stated they have access to Beechmont Drive immediately on the east side, they have 30 foot of frontage on that street. He stated that 30 foot of frontage will not allow them to divide the property by the Subdivision Control Ordinance since the ordinance necessitates that they have a 50 foot right-of-way for a dedicated public street. He stated that because of this

requirement they have had to go with the "horizontal property regime" which is a condominium type development, where the units can be sold off on an individual basis and there is no requirement as far as dedicated public streets in that type of development.

Ernest Evans questioned if the property were to be built for resale.

Mr. Franke stated that was the purpose of the development.

Mel Smith questioned what the price range would be for the duplexes.

Mr. Franke stated that each building will run around \$150,000.

Mel Smith stated that the plans show no play area for any children living in the development.

Mr. Franke stated that they have not been required by anyone to put together any information on a play area. He stated that there is enough open area that if a play ground facility needs to be constructed there is room for one.

Mel Smith asked if the developers had made any effort to contact the residents in the area regarding this development.

Mr. Franke stated that he had offered to meet with the neighborhood associations but it never came about. He stated that he spoke on the phone but has never spoke face to face with the area residents.

Dave Ross questioned if the streets are not to be dedicated, who would be maintaining them.

Mr. Franke stated that it would have to be maintained through fees from the condominium association.

The following people spoke in opposition to the proposed rezoning and primary development plan:

Chuck Shamos, 2212 Bellvue Dr, spoke as a member of the Concordia Neighborhood Association

William Miller, 6802 Mohawk Dr, Vice-President of Concordia Gardens Neighborhood Association

Raymond Moyer, 2114 Beechmont Dr

Dr. Ranasinghe Sisira, 2002 Beechmont Dr

Tim Starke, 6932 No Clinton St

Marge Buls, 2202 Garden Park Dr, President of the Concordia Gardens Neighborhood Association

Bill Wiegand, 6923 Province Dr

Harold Zietlow, 2104 Parkland Dr

Ron Teubert, 2070 Beechmont Dr

- when the P.O.D. was approved they made promises about the improvements that would be made on the property, no improvements

have been made, why should they believe they will keep their promises made with this new project

- storm water runoff is a serious problem in area, this will add to the problem - this concern was reiterated by most of the people speaking in opposition as one of the most serious problems facing this area

- pictures were submitted to the Commission showing the effects of the flooding in the area

- they have asked the city many times to declare a moratorium on additional surface runoff in the area

- do not want project to cut into Beechmont Drive for access, the additional traffic would be a burden that they did not feel the area could handle - it was stated that currently they have 355 homes in the subdivision and only one (1) ingress/egress

- streets in the area were very poorly planned, the hard surface is only 20 feet wide, on that 20 feet the children must walk to school, the streets do not have ample width for automobiles and children both

- Beechmont Drive is a cul-de-sac and it was stated in the newspaper that cul-de-sacs are the most desirable places to live and the plan presented was to take a cul-de-sac and open it up with a narrow street

- residents bought on a cul-de-sac for the privacy it afforded - this development will destroy that privacy

- it was questioned what they would use as a service drive for construction vehicles while this project was being built - the property currently shares a drive with the resident at 6932 N Clinton Street - if they use the drive at 6932 N Clinton Street will they repair any damages done to the drive after construction is complete

- it was questioned if the developer had financial backing for this project and what is the time frame on the construction of these duplexes

In rebuttal, Mr. Franke stated that some of the concerns he noted were the traffic, storm water runoff, and the time frame for the development. He stated that these concerns seem to be those of the majority of the people. He stated that it was his understanding that there is financing for the project. He stated that if the secondary development plan is approved the infrastructure improvements will be constructed on the property and at the same time the infrastructure improvements are being done there will be a maximum of three buildings constructed. He stated that once the three units are marketed an additional three units will be constructed. He stated that once those three are marketed the final two units would be built. At that time the existing office on the property will be demolished and one of the units will be built in its place. He stated that he understood the concerns of the Concordia Gardens neighborhood in that they are now routing the traffic from Clinton Street into their development. He stated that when the proposal was for office use it was in the best interest of the area that the entrance be from No Clinton Street. He stated that they were never pleased with the immediate location, since this property is not that far from the stacking lanes that are

required to hold the traffic that are turning from No Clinton onto Old Auburn Road. He stated that this traffic quite often backs up and blocks their current entrance from No Clinton Street. He stated that he did not feel that you should put residential traffic out onto a main artery such as No Clinton Street. He stated that he felt it would create a very dangerous situation. He stated that in the review process for this plan the city wanted to close off the existing access that they and Mr. Starke currently have onto Clinton Street and they were happy to see them using Beechmont Drive as an access point. He stated that their proposal is to reduce the existing zoning on the property and the amount of the impervious area and the reduction in the impervious area is due to the development of duplexes. He stated that they must meet the requirements of the city when it comes to water runoff. He stated that they are looking into a comprehensive solution to help solve the problems of runoff in the area for the existing neighborhood and for their own project. He stated that they are also aware that if they can not come up with a solution that they must detain the water from this project on their property. He stated that they can use the property at the southeast corner of the property for detention. He stated although there will be more water in the area, it will not cause anymore problems than are currently existing in the area. He stated that they are willing to close off their portion of the shared driveway at the south end of the drive from Clinton Street. He stated however, if they close off the property they will have to run the construction traffic through Concordia Gardens. He stated that they are in a no win situation. He stated that they would prefer to keep the Clinton Street cut open for construction traffic. He stated that he would assume that the developer would have to put the driveway back into its pre-construction condition for the adjacent owner Mr. Starke.

There was no one else present who spoke in favor of or in opposition to the proposed rezoning and primary development plan.

## RECEIPT

No. 14867

COMMUNITY &amp; ECONOMIC DEVELOPMENT

FT. WAYNE, IN.

5/13 1913

RECEIVED FROM

THE SUM OF

ON ACCOUNT OF

\$

100

DOLLARS

PAID BY: CASH  CHECK  M.O. 

AUTHORIZED SIGNATURE

## PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. *XX 540*THIS IS TO BE FILED IN DUPLICATE

DATE FILED \_\_\_\_\_

INTENDED USE \_\_\_\_\_

I/We W S C. CONSTRUCTION GROUP INC.  
(Applicant's Name or Names)do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an P.O.D. District to a/an R.A. District the property described as follows:

(Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

7014 NORTH CLINTON STREET (LEO ROAD)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Donald E. Wells7014 Ho. Clinton St.Donald E. WellsKENNETH W. GAFFER7014 Ho. Clinton St.Kenneth W. Gaff

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by \_\_\_\_\_  
(OFFICE USE ONLY)NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$100.00)

Name and address of the preparer, attorney or agent.

Bruce A. FrancisE.  
6732 STATE BLVD  
(Address & Zip Code)(219) 486-1068  
46815  
(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning &amp; Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

## REAL ESTATE DESCRIPTION

A part of Richardville Reserve in Section 18, Township 31 North, Range 13 East, more particularly described as follows:

Commencing at the Northeast corner of Fractional Section 18, Township 31 North, Range 13 East, thence South 26 degrees West on the centerline of Leo Road (formerly State Road #427 and #1) a distance of 1669.1 feet to a point; thence South 72 degrees 25 minutes East 50.6 feet to a point, said point being the intersection of the easterly right of way line of said Leo Road with the South right of way line of Garden Park Drive; thence South 26 degrees West along the easterly right of way line of said Leo Road a distance of 168.0 feet to the point of beginning, said point of beginning also being the Southwest corner of the tract as described and recorded in Mortgage Record 788, page 352-354; thence South 78 degrees East along the Southerly line of said tract a distance of 185 feet to a point, thence South 72 degrees 27 minutes East a distance of 120 feet to a point, thence South 12 degrees 23 minutes West a distance of 154.5 feet to a point located on a curve to the left having a radius of 40 feet, said curve also being the northwesterly right of way line of Beechmont Drive; thence in a southwesterly direction along said curve a distance of 25.42 feet to a point, thence North 68 degrees 05 minutes West a distance of 329.9 feet to a point on the easterly right of way line of said Leo Road, thence North 26 degrees East along said Easterly line a distance of 135.2 feet to the point of beginning.

EXCEPTING THEREFROM Part of Richardville Reserve in Township 31 North, Range 13 East, Allen County, Indiana, described as follows, to-wit:

Commencing at the Southwest corner of Lot #2 of Concordia Woods Addition as recorded in Plat Book 23, pages 96-98 in the Office of the Recorder of Allen County, thence Westerly on a curve to the right with a radius of 100 feet, an arc distance of 66.88 feet, thence Westerly on a curve to the left with a radius of 40 feet, an arc distance of 112.22 feet to the point of beginning, thence Southerly along the aforementioned 40 foot radius curve to the left a distance of 25.42 feet, thence N68-05W 47.00 feet, thence N28-02E 173.60 feet, thence S72-25E 16.50 feet, thence S12-23W 154.50 feet to the point of beginning

Net area of said parcel is 1.04 acres, more or less.

TOGETHER WITH 2.12 acres of land in Richardville Reserve west of the St. Joseph River in Township 31 North, Range 13 East, in Allen County, Indiana, described as follows, to-wit:

Beginning at a point in the centerline of the Leo Road in said Township and Range, said centerline being the west line of the said Richardville Reserve, said point being situated 1683.5 feet North 26 degrees East of the intersection of the said centerline of the Leo Road and the West line of Section 18, Township 31 North, Range 13 East in said Allen County, Indiana; thence continuing North 26 degrees East along the said centerline of the Leo Road a distance of 243.0 feet; thence South 68 degrees 5 minutes East a distance of 380.0 feet; thence South 26 degrees West a distance of 243.0 feet; thence North 68 degrees 5 minutes West a distance of 380.0 feet to the place of beginning, containing 2.12 acres of land, more or less, subject to a easement over and across the South 25.0 feet thereof for roadway purposes.

EXCEPTING THEREFROM 50.0 feet off the Northwesterly border thereof as occupied by State Road No. 427. Net area of said parcel is 1.84 acres.

job for: Kenneth W. Gaffer

job number: 1411-8892

date: 03 September 1992

sheet 2 of 2

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana on June 22, 1993 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-93-06-18; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on June 21, 1993.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the following "Findings of Fact".

(1) the grant will be injurious to the public health, safety, morals and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;

(3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

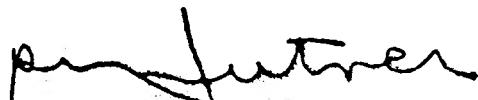
(4) the strict application of the terms of the zoning ordinance will not constitute an unusual an unnecessary hardship to this property;

(5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 28, 1993.

Certified and signed this  
29th day of June 1993.



Robert Hutzner  
Secretary

BILL NO. 7-93-06-18

REPORT OF THE COMMITTEE ON  
REGULATIONS

DAVID C. LONG & REBECCA J. RAVINE - CO-CHAIRPERSONS  
LUNSEY, SCHMIDT

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (RESOLUTION) amending the City of  
XXXXXXXXXX  
Fort Wayne Zoning Map No. P-42

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (RESOLUTION)

DO PASS

DO NOT PASS

**ABSTAIN**

NO REC

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NO REC  
Deleay Davis  
W. D. Davis  
John Davis  
John Davis  
John Davis

DATED: 7-27-93

Sandra E. Kennedy  
City Clerk